

Bureau of Health Care Quality and Compliance

STATEMENT OF DEFICIENCIES AND PLAN OF CORRECTION		(X1) PROVIDER/SUPPLIER/CLIA IDENTIFICATION NUMBER: NVN5345PCA	(X2) MULTIPLE CONSTRUCTION A. BUILDING _____ B. WING _____	(X3) DATE SURVEY COMPLETED 03/08/2010
NAME OF PROVIDER OR SUPPLIER CARE MINDERS HOME CARE		STREET ADDRESS, CITY, STATE, ZIP CODE 850 MILL ST STE 205A RENO, NV 89502		
(X4) ID PREFIX TAG	SUMMARY STATEMENT OF DEFICIENCIES (EACH DEFICIENCY MUST BE PRECEDED BY FULL REGULATORY OR LSC IDENTIFYING INFORMATION)	ID PREFIX TAG	PROVIDER'S PLAN OF CORRECTION (EACH CORRECTIVE ACTION SHOULD BE CROSS-REFERENCED TO THE APPROPRIATE DEFICIENCY)	(X5) COMPLETE DATE
P 000	Initial Comments This findings and conclusions of any investigation by the Health Division shall not be construed as prohibiting any criminal or civil investigations, actions or other claims for relief that may be available to any party under applicable federal, state or local laws. This Statement of Deficiencies was generated as a result of the State Relicensure survey completed on your agency on 3/8/10. The state relicensure survey was conducted at your agency by authority of Chapter 449, Personal Care Agencies. The patient census was 113. Eight client records were reviewed. Six client contacts were made. Ten employee files were reviewed. The following regulatory deficiencies were found:	P 000		
P 110	Section 15(2) Description Prohibited Activities 2. Provide descriptions of any activities that attendants are prohibited from engaging in, including, without limitation: (a) Making a long distance telephone call that is personal in nature: (1) On a telephone owned by or provided by a client; or (2) While on duty providing personal care services to a client; (b) Loaning, borrowing or accepting gifts of money or personal items from a client; (c) Accepting or retaining money or gratuities from a client, other than money needed for the purchase of groceries or medication for the client; and (d) Becoming the legal guardian of a client or	P 110		

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TITLE

(X6) DATE

LABORATORY DIRECTOR'S OR PROVIDER/SUPPLIER REPRESENTATIVE'S SIGNATURE

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P 110	Continued From page 1 being named as an attorney-in-fact in a power of attorney executed by the client; This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to include in their documentation a description of personal care activities prohibited by statute in the disclosure statement. The agency failed to include the following prohibitions in their Disclosure Statement, policies and procedures and employee new hire information: (a) Making a long distance telephone call that is personal in nature: (1) On a telephone owned by or provided by a client; or (2) While on duty providing personal care services to a client; (b) Loaning, borrowing or accepting gifts of money or personal items from a client; (c) Accepting or retaining money or gratuities from a client, other than money needed for the purchase of groceries or medication for the client; and (d) Becoming the legal guardian of a client or being named as an attorney-in-fact in a power of attorney executed by the client; Scope: 3 Severity: 2	P 110			
P 140	Section 15(5) Infectious Disease 5. Provide for the prevention, control and investigation of infections and communicable diseases; This STANDARD is not met as evidenced by:	P 140			

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P 140	<p>Continued From page 2</p> <p>Based on review documentation, observation and staff interview, the agency failed to provide an infection control policy that would provide for the prevention, control and investigation of infections and communicable diseases as required by statute.</p> <p>Review of the policy and procedure manual, the agency's standard forms and interview revealed a lack of documentation for a method for identifying, preventing, controlling and investigating infections and communicable diseases.</p> <p>Based on observation of a caregiver in the home of Client # 6 the caregiver failed to provide for the prevention and control of infections and communicable diseases.</p> <p>The caregiver failed to change gloves after cleaning the bathroom and cleaning the the food preparation surfaces of the kitchen.</p> <p>Scope: 3 Severity: 2</p>	P 140			
P 220	<p>Section15(13) Special Client Needs</p> <p>13. Set forth any other specific information that is necessary based on the needs of any special populations served by the agency.</p> <p>This STANDARD is not met as evidenced by: Based on review of documentation and interview, the agency failed to set forth any other specific information that is necessary based on the needs of any special populations served by the agency.</p> <p>Scope: 3 Severity: 1</p>	P 220			

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P 230	Continued From page 3	P 230			
P 230	<p>Section 16.1(a-i) Personnel File</p> <p>Sec. 16. 1. A separate personnel file must be kept for each attendant of an agency and must include, without limitation:</p> <p>(a) The name, address and telephone number of the attendant;</p> <p>(b) The date on which the attendant began working for the agency;</p> <p>(c) Documentation that the attendant has had the tests or obtained the certificates required by NAC 441A.375;</p> <p>(d) Evidence that the references supplied by the attendant were checked by the agency;</p> <p>(e) Evidence of compliance with NRS 449.179 by the administrator of the agency or the person licensed to operate the agency with respect to the attendant;</p> <p>(f) Proof that, within 6 months after the attendant began working for the agency, the attendant obtained a certificate in first aid and cardiopulmonary resuscitation issued by the American National Red Cross or an equivalent certificate approved by the Health Division;</p> <p>(g) Proof that the attendant is at least 18 years of age;</p> <p>(h) Proof of possession by the attendant of at least the minimum liability insurance coverage required by state law if the attendant will be providing transportation to a client in a motor vehicle; and</p> <p>(i) Documentation of all training attended by and performance evaluations of the attendant.</p> <p>This STANDARD is not met as evidenced by: Based on employee file review and staff interview, the agency failed to have</p>	P 230			

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P 230	<p>Continued From page 4</p> <p>documentation of the required TB skin testing for five of the ten employees reviewed.</p> <p>Employees # 1 did not have any current TB documentation.</p> <p>Employees # 7 had a documented annual test greater than 365 days from the prior test.</p> <p>Employee #5 reported a history of a positive skin test. The agency lacked documented evidence of any positive skin tests.</p> <p>Employees #6 had no documentation of a two-step test.</p> <p>Five out of ten employee files reviewed lacked documented evidence of pre-employment physical exams with the wording that met the regulation requirement that the employee was in good health, free from active TB and free from communicable diseases in a contagious stage. (Employees: #1, 2, 7, 8)</p> <p>Three out of ten employee files reviewed had no evidence that their references had been checked. (Employees #2, 4, 5)</p> <p>One out of ten employee files reviewed lacked documented evidence of CPR and First Aid certification within six months of their hire date. (Employee #1)</p> <p>Scope:2 Severity: 2</p> <p>Scope:3 Severity: 2</p>	P 230			

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P 280	Continued From page 5	P 280			
P 280	<p>Section 17/1(2) Documentation of Supervision</p> <p>2. Each supervisory visit and each telephone call must be documented. The documentation must be dated and signed by the administrator or his designee. Each supervisory visit and each telephone call must consist of an evaluation of whether:</p> <p>(a) Appropriate and safe techniques have been used in the provision of personal care services to the client;</p> <p>(b) The service plan established for the client has been followed;</p> <p>(c) The service plan established for the client is meeting the personal care needs of the client;</p> <p>(d) The attendant providing personal care services to the client has received sufficient training relating to the personal care services that the attendant is providing to the client; and</p> <p>(e) It is necessary for the administrator or his designee to follow up with the attendant or client concerning any problems in the personal care services being provided to the client or the service plan established for the client that are identified as the result of the supervisory visit or telephone call.</p> <p>This STANDARD is not met as evidenced by: Based on review of documentation and staff interview, the agency failed to keep a record of all supervisory telephone interviews with clients.</p> <p>Interview with the administrator communications regarding client care were conducted by e-mail but not consistently entered into the client's record.</p> <p>Based on review of documentation and staff</p>	P 280			

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P 280	Continued From page 6 interview the agency failed to include the following required evaluations: (a) Appropriate and safe techniques had been used in the provision of personal care services to the client; (d) The attendant providing personal care services to the client had received sufficient training relating to the personal care services that the attendant was providing to the client Scope: 3 Severity: 2	P 280			
P 450	Section 21.1(2) Grievance Procedure 2. The administrator of an agency shall establish and enforce a procedure to respond to grievances, incidents and complaints concerning the agency in accordance with the written policies and procedures of the agency. The procedure established and enforced by the administrator must include a method for ensuring that the administrator or his designee is notified of each grievance, incident or complaint. The administrator or his designee shall personally investigate the matter in a timely manner. A client who files a grievance or complaint or reports an incident concerning the agency must be notified of the action taken in response to the grievance, complaint or report or must be given a reason why no action was taken. This STANDARD is not met as evidenced by: Based on record review and staff interview, the agency failed to provide a procedure for grievance resolution that met all regulatory requirements.	P 450			

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P 450	Continued From page 7 A review of documentation revealed a lack of communication between the administrator and the client concerning grievances, complaints and incidents. Scope: 3 Severity: 2	P 450			
P 510	Section 23.1 Prohibited Services Sec. 23. 1. The administrator of an agency shall ensure that each attendant working for the agency is working within his scope of service and conducts himself in a professional manner. An attendant is prohibited from providing any of the services listed in subsection 2 to a client. 2. The services an attendant must not provide to a client include, without limitation: (a) Insertion or irrigation of a catheter; (b) Irrigation of any body cavity, including, without limitation, irrigation of the ear, insertion of an enema or a vaginal douche; (c) Application of a dressing involving prescription medication or aseptic techniques, including, without limitation, the treatment of moderate or severe conditions of the skin; (d) Administration of injections of fluids into veins, muscles or the skin; (e) Administration of medication, including, without limitation, the insertion of rectal suppositories, the application of a prescribed topical lotion for the skin and the administration of drops in the eyes; (f) Performing physical assessments; (g) Monitoring vital signs; (h) Using specialized feeding techniques; (i) Performing a digital rectal examination; (j) Trimming or cutting toenails; (k) Massage; (l) Providing specialized services to increase the	P 510			

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P 510	<p>Continued From page 8</p> <p>range of motion of a client; (m) Providing medical case management, including, without limitation, accompanying a client to the office of a physician to provide medical information to the physician concerning the client or to receive medical information from the physician concerning the client; and (n) Any task identified in chapter 632 of NRS and the regulations adopted by the State Board of Nursing as requiring skilled nursing care, including, without limitation, any services that are within the scope and practice of a certified nursing assistant.</p> <p>This STANDARD is not met as evidenced by: Based on record review, interviews with staff and the client's representative, the agency failed to enforce the prohibited service as stated in Sec. 23. 1. (m) Providing medical case management, including, without limitation, accompanying a client to the office of a physician to provide medical information to the physician concerning the client or to receive medical information from the physician concerning the client.</p> <p>Client # 3 has been accompanied by his caregivers to his appointments with his social worker. The caregivers have been included in a portion of the counseling sessions and contributing client information.</p> <p>Based on record review and interview, the agency failed to ensure that caregivers were practicing within the limitations of their scope of practice as set forth in the prohibitions in: Section 23.1. (e) and (n)</p> <p>Review of the training video and associated competency testing titled, How to Manage</p>	P 510			

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P 510	<p>Continued From page 9</p> <p>Medications. Auth. and Dir. Marion Karpinski, RN. A Healing Arts Communications Production, revealed that the content of the training was directed at an audience of skilled, licensed caregivers.</p> <p>Interview and record review revealed evidence that the agency contracted with The Department of Veteran Affairs for Outpatient Services to provide skilled nursing supervisory visits and provided this service with a physical assessment by the employee of the agency that was a registered nurse. (Client #5, 7, 8).</p> <p>Interview and record review revealed evidence that the employee of the agency that was a registered nurse provided training to client #2 for self administration of insulin injections.</p> <p>Scope: 2 Severity: 2</p>	P 510			

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